



U.S. DEPARTMENT OF JUSTICE
United States Attorney
District Of New Jersey

Frez Liebermann
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November 25, 2013

VIA Facsimile

Honorable Jerome B. Simandle
United States District Judge
Mitchell H. Cohen Federal Courthouse
One John F. Gerry Plaza
400 Cooper Street
Camden, New Jersey 08101

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WILLIAM T. WALSH, CLERK

Re: United States v. Vladimir Drinkman,
Crim. No. 09-626

Dear Judge Simandle:

I am writing in reference to your letter dated November 7, 2013 regarding Bloomberg L.P.'s motion to unseal the docket and filings in the above-referenced matter. The government has no objection to unsealing the docket and all the filings, with one limited exception: we ask that the nicknames of the defendants remain sealed or redacted. I have conveyed our position to Randy Shapiro, counsel for Bloomberg, L.P., and to Bruce Provda, counsel for Dmitriy Smilianets. Both Ms. Shapiro and Mr. Provda have no objection to our position.

I would suggest that Gurbir Grewal, another Assistant U.S. Attorney on the matter, and I meet with the Clerk's office to review each document, ensure that the nicknames are redacted, and that any nickname references on the actual docket sheet are also redacted. We would be available to do this at a mutually convenient time with the Clerk's office. We understand the urgency of the Court's request and can certainly partake in this process this week or next.

I also understand that the Court requested an explanation as to why the Government did not reply to the November 7, 2013 letter at an earlier date. Earlier today your clerk alerted me to the letter, which I had not seen at the time. Subsequently, I was able to find a copy of the letter which did not arrive in my mailbox until last week when I was out of the office. The envelope was addressed to Seth Kosto, who was formerly with our office and it must have taken time to make its way to my mailbox. This afternoon I also searched my e-mail account for an ECF version of the letter and, perhaps because the matter is sealed, I found no-ECF version. Mr.

Grewal likewise found no ECF notice of the letter. Consequently, we simply did not know of the existence of the letter or the deadlines set forth therein.

Respectfully Submitted,

PAUL J. FISHMAN
United States Attorney

A handwritten signature in black ink, appearing to read 'Erez Lieberman', is written over a horizontal line.

By: Erez Lieberman
Deputy Chief,
Criminal Division